

Conditional Use Analysis

May 14, 2008

Application

C-18-2008

La Herradura de Oro Market

3333 West 3500 South

General Commercial and Single Family Residential Zones, 0.7 acres

Staff Presentation by Hannah Thiel, Planner I

Background

Due to the road-widening project by Utah Department of Transportation on 3500 South, many businesses and homes are losing signage, landscaping, parking, and buildings that are in the proposed widened right of way. The home located at 3337 West 3500 South is one that must be demolished as it is located in the proposed right of way. This property is currently zoned 'R-1-8' and is in the process of applying for a rezone to 'C-2'; a zone that would match the neighboring property to the east.

The property to the east (3333 West 3500 South and zoned 'C-2') is losing a retail building that is located in the proposed right of way. This owner also owns La Herradura de Oro Market on site. To minimize any detrimental impacts this widening could have on the retail business, the property owner, the City, and UDOT have been working together to best plan this site, given the circumstances. The owner's plan is to buy the residential property and use it for parking for the retail and grocery/market businesses.

Section 7-18-106(7) of the Land Use Development and Management Act allows buildings that become nonconforming due to a roadway widening to be fully restored at the original setback. As this situation would place the retail building in the middle of the right of way if kept at its original setback, and the remaining property is too narrow to place a building on, a solution was devised to restore the retail building as an addition to La Herradura market and use the residential piece as parking for the business. Although this solution does not meet the minimum requirements for landscaping, it is consistent with landscaping along the rest of 3500 South after the road widening and the site will have adequate parking for their uses.

David Stanley with Rinnoovation is requesting a conditional use amendment approval for a retail addition to the existing market located at 3333 West 3500 South. This project is proposing of 2750 square feet of retail space. The site currently has a retail building, which will be removed, that is 2049 square feet according to Salt Lake County Commercial Records. The existing market has 5000 square feet of market space, proposing a building that is 7750 square feet. This property occupies a total of 0.7 acres of land. The General Plan designates this property as a General Commercial or Medium Density use.

The applicant has supplied 31 parking spaces on site. The ordinance requires 31 parking spaces for this use. There is one space that is located in front of La Herradura Market. Staff would recommend the Planning Commission remove this space and replace the area with landscaping and a connection between public and private sidewalks.

There are not currently plans for signs for this site.

Currently, an existing privacy fence of different types is located on the property line next to the residential uses. Staff would recommend a minimum of an eight (8) foot masonry wall next to residential properties to mitigate noise associated with traffic, and create a more suitable transition between a commercial and residential land use where the proposed addition is located closer to residential uses than the existing building.

Assuming the residential parcel of this project gets rezoned 'C-2', the property on the north and east sides of 3333 West 3500 South are zoned 'C-2' (General Commercial) and the property on the west and south sides are zoned 'R-1-8' (Single Family Residential, minimum lot size of 8,000 square feet) and are designated General Commercial or Medium Density Residential under the General Plan. As the proposed project isn't changing current uses other than removing the residential component, staff does not see this use adversely affecting neighbors or neighboring zones.

Planning Commission Concerns

At the Study Session on May 7, 2008, the Planning Commission showed concern regarding the use of the rear setback, required from residential, for loading rather than landscaping. The Planning Commission also showed concern regarding the layout of the parking. The four spaces oriented at the front of the proposed building addition could be oriented against the west side of the existing building and more parking could be provided on site without using the proposed handicap space in the front setback area.

Recommendations/ Staff Alternatives

- Approval subject to any issues raised at the public hearing as well as the following conditions:
 1. That the approval of this application shall be subject to approval and recording of the zone change from 'R-1-8' to 'C-2' as outlined in Z-5-2008.
 2. That the parcels shall be consolidated into one parcel with one tax identification number prior to issuance of a building permit.
 3. That an eight foot masonry wall be required along all residential property lines.
 4. That the single north parking space on the east side of the driveway entrance, adjacent to 3500 South be removed and replaced with landscaping and walkway to connect the onsite sidewalk and the public sidewalk.
 5. That the parking spaces oriented on the north side, adjacent to the entrance of the proposed building addition, be moved to the west side of the existing building to allow more parking spaces that would be lost with the removal of the proposed handicap space adjacent to 3500 South.
 6. That the loading area on the south side of the project be moved from the south side and landscape shall be planted within ten feet of the residential property line to comply with ordinance sections 7-9-118 and 7-6-1003(3)(b).
 7. That the proposed addition shall meet all the requirements of the Commercial Design Standard Ordinance (7-14-213).
 8. That car stop barriers (bumpers) be placed in the parking spaces along 3500 South.
 9. That complete and revised development plans shall be submitted that are in compliance with all city ordinances and codes of all West Valley City departments.
 10. That the applicant shall submit a building permit application for new signs desired on the site. All signs shall be in compliance with regulations for signs contained in Title 11 of the West Valley City Code.
 11. That the Planning Commission reviews this application upon receipt of valid unresolved complaints.
- Continuance, for resolution of any issues that may arise at the public hearing; and/or to review complete architectural elevations.

Attachments

- Letter from applicant
- Site Plan
- Elevations
- Site Pictures
- Vicinity Map